

REMARKS

Claims 1, 2, 17, 18, 24, and 25

Claims 1, 2, 17, 18, 24, and 25 are rejected under 35 USC 102(e) as being anticipated by Ringness (U.S. Patent No. 6,456,395). In addition, the Examiner states that assuming *arguendo* that Ringness does not disclose a Postscript pattern these claims are obvious as being unpatentable over Ringness in view of Harrington (U.S. Patent No. 5,701,401).

Amended Claim 1 recites a process for simulating printing media comprising providing a database comprising a spot color name associated with corresponding image data that simulates printing media; receiving a print job comprising page description language ("PDL") code that includes a reference to the spot color name; identifying the spot color name in the PDL code; retrieving from the database the corresponding image data associated with the identified spot color name; adding PDL code of the print job for painting the retrieved image data as a PostScript pattern in the print job, said PostScript pattern comprising a repeating unit; executing the PDL code in the print job; and painting the retrieved image data as a PostScript pattern in the print job.

The invention as recited in Claim 1 simulates the appearance of textures by using a pattern as background, which can be displayed on a screen or printed onto conventional stock paper. Printing on conventional paper obviates the need for printing onto the actual media, which is costly and requires a specialized printer. Page 6 of the specification.

Furthermore, this method is both more cost effective and time effective. By associating a spot color name with an image of the simulated printing media, the image looks the same on any conventional printer. Furthermore, Postscript code contains the spot color name, thereby obviating the need to download both the

image and the print job. Page 7 of the specification. Thus, the download is less computationally demanding and faster.

Ringness discloses a method for mapping objects to the appropriate spot-color partitions to avoid having two distinct Encapsulated Postscript (EPS) files that are treated differently because they have different names even though they are supposed to describe the same color, e.g. Pantone Red and Pantone Red 100. (Col. 2, lines 9-29)

Ringness fails to disclose the feature recited in amended Claim 1 of a spot color name associated with corresponding image data simulating printing media. The Examiner cites column 3, lines 15-35 of Ringness for support that Ringness discloses image data. Ringness discloses using EPS, which is a method of representing individual objects, such as the Coca-Cola logo, in a separate file for reproduction on an output device, *i.e.* a printer. (Col. 1, lines 60-66) Ringness also discloses an encapsulated PostScript Color Separation (ECS) utility that determines whether the spot color appears in the EPS file. (Col. 3, lines 6-7) Ringness does not, however, teach or suggest an image data simulating printing media. Ringness does not even discuss the different types of media that can be used for printing, because Ringness is concerned with colors. Thus, Ringness fails to anticipate Claim 1.

Ringness fails to disclose code to the print job for painting the retrieved image data as a PostScript pattern in the print job. Applicants amend Claim 1 to more clearly describe the pattern as a repeating unit. See, for example, page 7 of the specification. The Examiner states that Ringness discloses a pattern because an "object with a key color, or spot color, particularly defined in the Postscript code constitutes a Postscript pattern." Applicants respectfully submit that a pattern must comprise a repeating unit and amend the claim to recite this feature. Ringness does not teach or suggest a PostScript pattern comprising a repeating unit.

The Examiner states that even if Ringness does not disclose a pattern, Harrington discloses a pattern and Claim 1 is therefore obvious in light of the combination of Ringness and Harrington. Applicants respectfully disagree. Harrington discloses a method for showing color on a black-and-white printout by converting color to a pattern block. (Col. 3, lines 13-21) Harrington does not disclose using a pattern to simulate media. Because Harrington uses the pattern to simulate color, the types of patterns used are completely different. They are designed to produce "colored textures that do not vary greatly from the original color for use in the original color document." (Col. 4, lines 16-17)

The Examiner states that the use of PostScript patterns is not Applicants' invention and that the use of PostScript patterns would have been an obvious modification to Ringness. Applicants agree that the general use of PostScript patterns is not Applicants' invention. However, the use of PostScript patterns to simulate media, thereby obviating the need to print samples on actual media, is Applicants' invention. Furthermore, this use is not an obvious modification to Ringness because neither Ringness nor Harrington teach or disclose using PostScript patterns to simulate media. To establish a *prima facie* case of obviousness of a claimed invention, all the claimed features must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Thus, the Examiner failed to make a *prima facie* case of obviousness.

Because Claims 2, 3, and 7 depend upon Claim 1, they are patentable for at least the same reasons as Claim 1. Independent Claims 17 and 24 are similarly amended to more clearly recite that the image data simulates printing media and that the PostScript pattern comprises a repeating unit. Thus, Claims 17 and 24 are patentable for at least the same reasons as Claim 1. Because claims 18, 19, 23, 25, 26, and 30 depend upon either Claims 17 or 24, respectively, they are patentable for at least the same reasons.

Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art.

CONCLUSION

Applicants respectfully posit that the pending claims have been distinguished from the art of record, and that all rejections of the claims have been overcome. Accordingly, Applicants respectfully request allowance of all claims. The Examiner is invited to please contact Applicants' attorney at (650) 474-8400 should any questions arise.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "E. Ruzich".

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